

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

US EPA RECORDS CENTER REGION 5



423976

UNITED STATES OF AMERICA,

Plaintiff,

v.

LOUIS WOLF, a/k/a GUSTAV
SIERAWSKI, d/b/a ILLINOIS
DEVELOPMENT CORPORATION,
COMMERCIAL MANAGEMENT
COMPANY, CMC MANAGEMENT,

Defendant.

No. 89 C 5915

Judge James B. Zagel

AFFIDAVIT OF STAVROS EMMANOUIL

Stavros Emmanouil, being duly sworn on oath, deposes and states as follows:

1. I have been employed by the United States Environmental Protection Agency (U.S. EPA) in Chicago, Illinois for the past three years. Presently, I am an On-Scene Coordinator (OSC) in the Emergency Response Branch. As such, my duties include directing response efforts and coordinating other efforts at the scene of a discharge or release of hazardous substances.

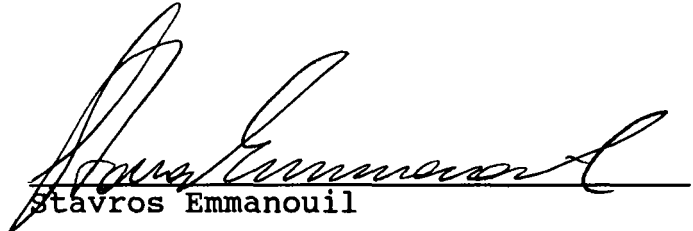
2. Pursuant to Section 104 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. § 9604, whenever there exists a release or substantial threat of release of any hazardous substance into the environment or there exists a release or substantial threat of release into the environment of any pollutant or contaminant which may present an imminent and substantial danger to the public health or welfare, the President is authorized to act, consistent with the National Contingency Plan (NCP) ["National Oil and Hazardous Substances Pollution Contingency Plan" 40 CFR Part 300, et seq.] to take any response measure to protect the public health or welfare or the environment. The President, pursuant to Executive Order 12580, has delegated certain functions vested in him by CERCLA. These functions, including the direction of response efforts and the coordination of all other efforts at the scene of a discharge or release, shall be conducted by the OSC, consistent with the NCP § § 300.120 and 300.125 (1990).

3. As an OSC, I am responsible for submitting a complete report on a removal operation and the actions taken. This report shall consist of a chronological narrative or all events, the effectiveness of the removal action, any difficulties encountered, any recommendations, and the resources committed.

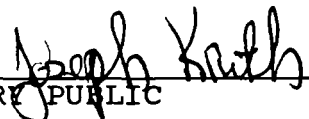
4. I am assisted in the implementation of emergency removal actions by a technical support unit which is provided to me in the form of a contracted Technical Assistance Team (TAT). The TAT supports U.S. EPA removal activities by collecting, indexing and preserving evidence, as well as maintaining all site documents. Based upon daily logs, notes taken by TAT personnel, or notes or other documentation compiled by an OSC, the TAT prepares a draft report summarizing the events that transpired on-site for the OSC's review.

5. Following the guidelines set forth in the NCP, 40 CFR § 300.40 [now codified at 40 CFR § 300.165 (1990)], I prepared only the OSC Report for the A-Chemical Corporation site based upon the information contained in the TAT report, the site file, and other relevant site documents. A summary of expenditures incurred during the removal action was also included in the OSC report. The complete report on the removal operation and actions undertaken was submitted to U.S. EPA, Office of Emergency and Remedial Response, Emergency Response Division, for review and comment.

Further, affiant sayeth not.


Stavros Emmanouil

SUBSCRIBED and SWORN TO before me this 29 day of
March, 1991.


NOTARY PUBLIC

My commission expires: _____.

